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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DINH, KHANH Q	
ART UNIT	**PAPER NUMBER**
2151	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/415,295	BEN-EFRAIM ET AL.	
	Examiner	Art Unit	
	Khanh Dinh	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5,8-18,21,23-41,43,44,86-89 and 94-98* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,5,8-18,21,23-41,43,44,86-89 and 94-98* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/25/2005 has been entered.

2. Claims 90-93 are canceled. Claims 1, 2, 4, 5, 8-18, 21, 23-41, 43, 44, 86-89 and 94-98 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not

commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 2, 4, 5, 8-18, 21, 23 and 86-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchings in view of Logan et al. (hereafter Logan), US pat. No.5,732,216

As to claim 1, Hitchings discloses a mobile information network browser device (106 fig.1) with audio feedback capability, the information network comprising a plurality of network servers, the browser device comprising:

a wireless communication interface (using two-way wireless communication device106 fig.1) operable to transmit data to a network server (network gateway server 114 fig.1) and to receive data from the network server (see abstract, fig.1, col.6 line 43 to col.7 line 45).

an audio interface (using 126 fig.1 to allow users of the wireless client device to retrieve and reply voice mail messages) operable to receive data from the wireless communication interface, wherein the data transmitted to the network server includes a request for information, and the data received from the network server includes information responsive to the request (see also fig.2A, col.7 line 5 to col.8 line 65 and col.9 line 15 to col.10 line 67).

Hitchings does not specifically disclose a car radio, an audio converter and a short-range radio. However, Logan disclose a car audio, an audio converter, the audio

converter being operable to receive the information responsive to the request, the audio converter being further operable to convert the responsive information to an audio signal [in fig.1, implementing a program data stored at 107 may advantageously include compressed audio recordings and/or text (files of characters) which may be converted into audio form by conventional speech synthesis programs, see col.3 lines 23-54 and col.5 lines 6-44] and further discloses a short range radio, wherein the audio converter outputs the audio signal to the short rage radio, the short range radio being operable to broadcast the audio signal to a channel on a car audio (using a "player" computer may be linked to the Internet via a local communications server computer via a radio or infrared link when the car is parked at the subscriber's home or office, see fig.1, col.6 line 27 to col.7 line 2 and col.39 lines 6-to col.40 line 30) while the car audio is mobile as well as when the car is stationary [i.e., using the IrDA international standard for providing interoperability among widely diverse systems and providing high speed file transfers (e.g., 4 Mbs data rates), are small and can be easily incorporated into portable computers of the type which may be used in a car or on public transportation, see col.6 line 27 to col.7 line 2]. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize Logan's an audio converter and a short-range radio into the computer system of Hitchings to provide playback audio capabilities because it would have provided a suitable data transmission capabilities and exchanged information in the form of audio recordings over the Internet.

As to claim 2, Hitchings discloses a voice interaction system (using voice mail system 126 fig.1) to recognize commands from a user's speech input for interaction with the browser device including the request for information (i.e., using server module for converting from the first communications protocol to the second communications protocol and storing a list of scripts received from users to establish the communication between the proxy server device and the wireless communications devices) (see col.2 lines 3-61 and col.9 line 15 to col.10 line 67).

As to claim 4, Hitchings discloses at least one audio converter outputs the audio signal to at least one audio speaker (placing the mobile device to a voice mode, see col.14 lines 10-62).

As to claims 5 and 8, Hitchings does not specifically disclose a converter output the audio signal to a set of headphones and a cassette adapter. However, the use of those devices (a converter output the audio signal to a set of headphones and a cassette adapter) is generally well known in the art as disclosed by Logan (see col.3 line 42 to ocl.4 line 26, col.6 line 9 to col.7 line 2 and col.9 lines 6-54). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement those well known devices of Logan into the computer system of Hitchings to process data transaction over the network because it would have provide more utilizations of the computer system in the network and enabled users to record or to upload audio messages to other identified users or to the host system.

As to claim 9-13, Logan discloses a microphone for receiving the speech input from the user, converting the responsive information from a text format to an audio format changing a plurality of predetermined formats into the voice transaction (using server module for converting from the first communications protocol to the second communications protocol), the first program instructions are loaded and executed in the network server and the audio interface (see figs.2A, 2B-4, col.2 lines 3-61 and col.9 line 15 to col.10 line 67). Hitchings does not specifically disclose a converter output the audio signal to a data storage medium. Logan discloses a converter output the audio signal to a data storage medium (see col.3 line 42 to ocl.4 line 26, col.6 line 9 to col.7 line 2 and col.9 lines 6-54). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement those well known devices of Logan into the computer system of Hitchings to process data transaction over the network because it would have provide more utilizations of the computer system in the network and enabled users to record or to upload audio messages to other identified users or to the host system.

As to claims 14-17, Hitchings does not specifically disclose using encrypting/ decrypting data information, and compressing/de compressing data information. However, those teachings are generally well known in the art as disclosed by Logan (see fig.1, col.3 line 23 to col.4 line 37, col.5 line 7 to col.6 line 35 and col.10 line 39 to col.11 line 67). It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to utilize Logan's teachings into the computer system of Hitchings to process data information because it would have enabled users to distribute, collect and exchange information in the forms of data recordings in the computer network (see Logan's col.1 lines 29-65 and col.3 lines 23-54).

As to claims 18 and 21, Hitchings discloses the browser device to playback the responsive information and an input buffer for storing the responsive information until the audio converter processes it (see col.12 line 50 to col.13 line 67).

As to claim 23, Hitchings discloses a position-keeping system for providing the geographic location of the browser device to the network server via the wireless communication network, wherein the responsive information is based on the location of the browser device (see col.9 lines 16-67 and col.14 line 21 to col.15 line 58).

As to claim 86, Hitchings disclose a mobile information network browser device with audio feedback capability, the information network comprising a plurality of network servers, the browser device comprising:

a communication interface (104 fig.1) receives data from at least one of the network servers (114 fig.1) (see abstract, fig.1, col.6 line 43 to col.7 line 45).

a mobile audio device (106fig.1) operable to receive the data from the communication interface, the mobile audio device being further operable to convert the data to an audio signal (i.e., using server module for converting from the first

communications protocol to the second communications protocol and storing a list of scripts received from users to establish the communication between the proxy server device and the wireless communications devices, see also fig.2A, col.2 lines 3-61 and col.9 line 15 to col.10 line 67).

Hitchings does not specifically disclose outputting data to a car radio. However, Logan discloses outputting data to a car audio (i.e., using a "player" computer may be linked to the Internet via a local communications server computer via a radio or infrared link when the car is parked at the subscriber's home or office, see fig.1, col.6 line 27 to col.7 line 2 and col.39 lines 6-to col.40 line 30) while the car audio is mobile as well as when the car is stationary [i.e., using the IrDA international standard for providing interoperability among widely diverse systems and providing high speed file transfers (e.g., 4 Mbs data rates), are small and can be easily incorporated into portable computers of the type which may be used in a car or on public transportation, see col.6 line 27 to col.7 line 2]. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement those devices into the computer system of Hitchings to process data transaction over the network because it would have provided more utilizations of the computer system in the network and exchanged between participated subscribers data information in the form of audio recordings in a communications network.

As to claims 87-89, Hitchings discloses mobile audio device is controlled with voice commands; control switches and is operable to receive the data from a wireless

communication network (see figs.2A, 2B, col.9 line 15 to col.10 line 67 and col.11 line 25 to col.12 line 49).

5. Claims 24-41, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchings and Logan as in item 5 above and further in view of Garceran et al. (hereafter Garceran), U.S. Pat. No.6,552,888.

As to claim 24, Hitchings discloses a portable browser system with feedback capability for browsing an information network comprising:

at least one data processor (114 fig.1) in communication with the wireless communication network, the at least one data processor being operable to execute first program instructions for receiving a user's input (inputs from mobile device 106 fig.1), second program instructions for requesting information from the information network (see abstract, fig.1, col.6 line 43 to col.7 line 45).

third program instructions for receiving responsive information from the information network, and fourth program instructions for transmitting the responsive information received from the information network (see col.7 line 5 to col.8 line 65).

an audio output device (138 fig.1) operable to receive the responsive information from the data processor, the audio output device being further operable to output the responsive information to the user in audio format (i.e., using server module for converting from the first communications protocol to the second communications protocol and storing a list of scripts received from users to establish the communication

between the proxy server device and the wireless communications devices, see also fig.2A, col.2 lines 3-61 and col.9 line 15 to col.10 line 67).

Hitchings does not specifically disclose a car audio, an audio converter and a short-range radio. However, Logan disclose a car audio, an audio converter, the audio converter being operable to receive the information responsive to the request, the audio converter being further operable to convert the responsive information to an audio signal (in fig.1, implementing a program data stored at 107 may advantageously include compressed audio recordings and/or text (files of characters) which may be converted into audio form by conventional speech synthesis programs, see col.3 lines 23-54 and col.5 lines 6-44) and further discloses a short range radio, wherein the audio converter outputs the audio signal to the short rage radio, the short range radio being operable to broadcast the audio signal to a channel on a car audio (using a "player" computer may be linked to the Internet via a local communications server computer via a radio or infrared link when the car is parked at the subscriber's home or office, see fig.1, col.6 line 27 to col.7 line 2 and col.39 lines 6-to col.40 line 30) while the car audio is mobile as well as when the car is stationary [i.e., using the IrDA international standard for providing interoperability among widely diverse systems and providing high speed file transfers (e.g., 4 Mbs data rates), are small and can be easily incorporated into portable computers of the type which may be used in a car or on public transportation, see col.6 line 27 to col.7 line 2]. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize Logan's an audio converter and a short-range radio into the computer system of Hitchings to provide playback audio capabilities

because it would have provided a suitable data transmission capabilities and exchanged information in the form of audio recordings over the Internet.

Neither Hitchings nor Logan discloses a position-keeping operable to determine the location of the portable device and a location processor to issue an alert when the potable browser system is approaching an area where there is an incidence of wireless data communication loss greater than a pre-selected threshold. However, Garceran discloses a position-keeping operable to determine the location of the portable device and a location processor to issue an alert when the potable browser system is approaching an area where there is an incidence of wireless data communication loss greater than a pre-selected threshold (see Garceran's abstract, figs.6A, 6B, col.col.9 lines 5-58 and col.11 line 36 to col.12 line 63). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Garceran's teachings into the computer system of Hitchings to process wires data information because it would have determined coverage in a wireless communications systems using location information for a wireless unit and the wireless communications in association with the location information.

Claims 25 and 26 are rejected for the same reasons set forth in claims 2 and 3 respectively.

Claims 27-31 are rejected for the same reasons set forth in claims 4, 8, 9, 5 and 6 respectively.

Claims 32, 34, 35, 37, 43-44 are rejected for the same reasons set forth in claims 10, 11, 12, 18, 23 and 21 respectively.

As to claims 33 and 36, Hitchings discloses a telephone in communication with the voice interaction system for receiving the user's speech input and instructions are loaded and executed in the data processor (see figs.2A, 2B, col.9 line 15 to col.10 line 67 and col.11 line 25 to col.12 line 49).

Claims 38-41 are rejected for the same reasons set forth in claims 14-17 respectively.

6. Claims 94-96 and 98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchings in view of Logan as item 4 above and further in view of Garceran et al., U.S. pat. No.6,552,888.

As to claim 94, Hitchings discloses a portable browser system for browsing an information network via wires communication comprising:

computer executable logic instructions operable for:

receive a user's input and request information from the information network based on the user's input (receiving inputs from mobile device 106 fig.1) and receive responsive information from the information network (see abstract, fig.1, col.6 line 43 to col.7 line 45).

Hitchings does not specifically disclose a car audio and a transmitter operable to broadcast data based on the responsive information received from the information

network based the responsive information network for output on a channel of a car radio while the car audio is mobile as well as when the car is stationary. However, Logan discloses a car audio and a transmitter operable to broadcast data based on the responsive information received from the information network based the responsive information network for output on a channel of a car radio (in fig.1, implementing a program data stored at 107 may advantageously include compressed audio recordings and/or text (files of characters) which may be converted into audio form by conventional speech synthesis programs, see col.3 lines 23-54 and col.5 lines 6-44 and using a "player" computer may be linked to the Internet via a local communications server computer via a radio or infrared link when the car is parked at the subscriber's home or office, see fig.1, col.6 line 27 to col.7 line 2 and col.39 lines 6-to col.40 line 30) while the car audio is mobile as well as when the car is stationary [i.e., using the IrDA international standard for providing interoperability among widely diverse systems and providing high speed file transfers (e.g., 4 Mbs data rates), are small and can be easily incorporated into portable computers of the type which may be used in a car or on public transportation, see col.6 line 27 to col.7 line 2]. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize Logan's an audio converter and a short- range radio into the computer system of Hitchings to provide playback audio capabilities because it would have provided a suitable data transmission capabilities and exchanged information in the form of audio recordings over the Internet.

Neither Hitchings nor Logan specifically discloses a position-keeping operable to determine the location of the portable device and a location processor to issue an alert when the potable browser system is approaching an area where there is an incidence of wireless data communication loss greater than a pre-selected threshold. However, Garceran discloses a position-keeping operable to determine the location of the portable device and a location processor to issue an alert when the potable browser system is approaching an area where there is an incidence of wireless data communication loss greater than a pre-selected threshold (see Garceran's abstract, figs.6A, 6B, col.col.9 lines 5-58 and col.11 line 36 to col.12 line 63). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Garceran's teachings into the computer system of Hitchings to process wires data information because it would have determined coverage in a wireless communications systems using location information for a wireless unit and the wireless communications in association with the location information.

As to claim 95, Garceran discloses accessing a database of information regarding the incidence of data loss in an area (see col.12 line 12 to col.13 line 60). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Garceran's teachings into the computer system of Hitchings to process wires data information because it would have determined coverage in a wireless communications systems using location information for a wireless unit and the wireless communications in association with the location information.

As to claims 96 and 98, Garceran further discloses allowing user to indicate whether to wait to transmit the responsive information to the car radio until the reception improves (see col.12 line 12 to col.13 line 60 and col.14 lines 12-59). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Garceran's teachings into the computer system of Hitchings to process wires data information because it would have determined coverage in a wireless communications systems using location information for a wireless unit and the wireless communications in association with the location information.

7. Claim 97 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchings and Logan and Garceran as in item 6 above and further in view of Hahn et al. (hereafter Hahn), U.S. Pat. No.6,078,825.

Hitchings and Garceran's teachings still applied as in item 7 above. Neither Hitchings nor Logan nor Gaceran discloses an adapter plug insertable in an automobile cigarette lighter to supply power to the device. However, Hahn discloses an adapter plug insertable in an automobile cigarette lighter to supply power to the device (see col.6 lines 7-62). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Hahn's device into the computer system of Hitchings to provide power source to network devices because it would have allowed users to charge their handheld devices with the same cable when disconnected from an external power source.

Response to Arguments

8. Applicant's arguments filed on 1/25/2005 have been fully considered but they are not persuasive.

- Applicant asserts that the cited references do not disclose while the car audio is mobile as well as when the car is stationary.

Examiner respectfully disagrees. Logan disclose the applicant's claimed invention by using the IrDA international standard for providing interoperability among widely diverse systems and providing high speed file transfers (e.g., 4 Mbs data rates), are small and can be easily incorporated into portable computers of the type which may be used in a car or on public transportation (see col.6 line 27 to col.7 line 2].as rejected above.

Conclusion

9. Claims 1, 2, 4, 5, 8-18, 21, 23-41, 43, 44, 86-89 and 94-98 are rejected.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U. S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh Dinh
Patent Examiner
Art Unit 2151
4/16/2005